

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,                          )  
  )  
Plaintiff,    )  
  )     **CIVIL NO. 3:12-cv-00319**  
v.    )  
  )     **JUDGE JOHN T. NIXON**  
**DARYL C. BYRD,**                                      )  
  )     **Magistrate John S. Bryant**  
Defendant.    )

**DEFAULT JUDGMENT**

This matter is before the Court on Plaintiff, United States of America's, motion pursuant to Fed. R. Civ. P. 55(a) and 55(b)(1) of the Federal Rules of Civil Procedure, for a Default Judgment against the Defendant Daryl C. Byrd in the above-captioned case. It appearing to the Court that:

1.       On March 30, 2012, the Plaintiff filed this action alleging that the Defendant owes the United States \$60,537.34, plus accruing per diem interest. (D.E. 1).
2.       On April 11, 2012, the Plaintiff served the Summons and Complaint upon the Defendant at the Defendant's residence. (D.E. 3).
3.       Thereafter, Defendant failed to appear, plead, or otherwise defend this action within the time allowed and default has been entered. (D.E. 6 "Entry of Default").
4.       Plaintiff has filed a motion for Default Judgment By the Clerk with a supporting Declaration wherein it states Defendant owes a sum certain of \$66,571.00 calculated through July 20, 2012, plus any accruing interest.
5.       Defendant has not opposed the Plaintiff's Motion for Default.
7.       Defendant is not an infant or incompetent person and is not the in the Military service within the meaning of the Soldier's and Sailor's Civil Relief Act of 1940, as amended. (D.E. 5,

Attachment 1).

WHEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that the Plaintiff shall have and recover from Defendant the sum of \$66,571.00 dollars with interest at the current post-judgment rate of .19 percent from the date of this judgment, till paid, together with Plaintiff's costs and disbursements incurred in this action as prayed for in the complaint and that the Plaintiff have execution therefor.

Judgment rendered July 30, 2012.

s/ Keith Throckmorton \_\_\_\_\_  
KEITH THROCKMORTON  
United States District Clerk